1	Judge Robart	
2		
3		
4		
5		
6		
7	UNITED STATES DISTRICT COURT WESTERN DISTRICT OF WASHINGTON AT SEATTLE	
8		
9	UNITED STATES OF AMERICA,) NO CDOS 211 H D
10	Plaintiff,	NO.CR05-211JLR
11	V.	ORDER TO CONTINUE TRIAL
12		
13	BRIAN KEVIN RUBENAKER,	
14	Defendant.)
15)

The Court having reviewed the records and files herein including the stipulated motion to continue the pretrial motions cutoff date and trial date makes the following findings and enters the following Order:

- 1. Initial plea negotiations have begun on June 28, 2005. The first proffer session took place on July 8, 2005. This proffer will be the first of several meetings necessary to evaluate the cooperation now being offered by defendant. Therefore, additional time is necessary for the government and defendant to meet and confer regarding a pretrial resolution.
- 2. Due to defense counsel's trial schedule, defendant requires additional time to consider and file any pretrial motions.
- 3. Absent a plea agreement in this case, the parties require additional time to fully prepare for trial.

16

17

18

19

20

21

22

23

24

25

26

27

28

1	4.	The ends of justice outweigh the best interest of the public and the	
2	defendant in a speedy trial. That failure to grant a continuance based upon the parties'		
3	need to prepare the matter for trial and to ensure that defense counsel is available for		
4	trial would result in a miscarriage of justice.		
5	5.	The government and defendant has requested and stipulated to a	
6	continuance and the defendant must sign and file a written waiver of speedy trial which		
7	must be filed no later than July 20, 2005.		
8	IT IS HEREBY ORDERED that the pretrial motions cutoff date for defendant is		
9	continued from June 23, 2005, to September 12, 2005.		
10	IT IS HEREBY ORDERED that the trial date is continued from July 25, 2005,		
11	to October 24, 2005.		
12	DONE this 11th day of July, 2005.		
13		s/James L. Robart	
14		JAMES L. ROBART United States District Court Judge	
15	Presented by:		
16			
17	/s David Reese Jennings DAVID REESE JENNINGS		
18	Assistant United States Attorney United States Attorney's Office 700 Stewart Street, Suite 5220 Seattle, WA 98101		
19			
20			
21	E-mail: David.R.Jennings@usdoj.gov		
22	/s Anthony Savage, Jr., per meeting on 7/8/05		
23			
24	·		
25			
26			
2627			